

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RANDALL RICHARD LEVITAN,

Plaintiff,

vs.

**MACLEAN, JOHNSON, HILL
MAGNUSON, SILVERTHORN,
VAN, TROLLA, FREEMAN,
PARR, HILDRETH, WILLIS
CHAPMAN, AKOMOLAFE, AND
JOHN DOES,**

Defendants.

2:23-CV-12439-TGB-KGA

**OPINION AND ORDER
ADOPTING REPORT AND
RECOMMENDATION**

(ECF NO. 64)

This matter is before the Court on Magistrate Judge Kimberly G. Altman’s December 19, 2024 Report and Recommendation (ECF No. 64), recommending that Defendants’ Motions to Dismiss and for Summary Judgment (ECF Nos. 32, 41, 46) be granted, that the Court *sua sponte* dismiss “Unknown Parties, John Doe, and Freeman” from the case, and that this matter be dismissed without prejudice.

The Court has reviewed the Magistrate Judge’s Report and Recommendation and finds that it is well-reasoned and supported by the applicable law. The law provides that either party may serve and file written objections “[w]ithin fourteen days after being served with a copy” of the report and recommendation. 28 U.S.C. § 636(b)(1). The district court will make a “de novo determination of those portions of the report

... to which objection is made.” *Id.* Where, as here, neither party objects to the report, the district court is not obligated to independently review the record. *See Thomas v. Arn*, 474 U.S. 140, 149-52 (1985). The Court will, therefore, accept Judge Altman’s December 19, 2024 Report and Recommendation as its findings of fact and conclusions of law.

Accordingly, it is hereby **ORDERED** that Judge Altman’s December 19, 2024 Report and Recommendation (ECF No. 64) is **ACCEPTED** and **ADOPTED**. It is **FURTHER ORDERED** that the case is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED.

Dated: January 27, 2025 /s/Terrence G. Berg

HON. TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE